

Guards with violent crime convictions allowed to work as supervisors at troubled Missouri Women's Prison

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Other than the red buildings, this is the welcome the women offenders receive as they arrive at the Vandalia Prison. (Photo by Steve Pope)

Unchecked abuse of offenders, denial or delay of their medical care and sexual abuse by at least one guard aren't the only serious problems plaguing the Women's Eastern Reception, Diagnostic and Corrections Center in Vandalia, Mo. Despite convictions of violent crimes, including at least one involving domestic violence, several of the Center's guards are still allowed to work there - as Supervisors.

According to court documents, Sgt. Melvin R. Strange pled guilty to a charge of misdemeanor domestic assault in the third degree on June 15, 2005, in the Audrian County Circuit Court after he pushed his girlfriend off his porch on February 16, 2005, causing her to strike the side of her head on concrete and become unconscious for 10 seconds, according to a police report.

The police report said, "I observed a swollen area approximately the size of a goff (sic) ball...her vision was blurry and she was unable to see."

Guard still employed despite his misdemeanor domestic violence conviction

The Domestic Violence Gun Offender Ban -- commonly referred to as the "Lautenberg Law" because it was introduced by U.S. Senator [Frank Lautenberg \[Unlink\]](#) (R-NJ) as part of the Omnibus Consolidated Appropriations Act of 1997, Title 18 U.S. Code Section 922 -- prohibits shipment, transport, ownership and use of guns and ammunition by any person convicted of a crime of misdemeanor domestic violence. According to court documents, on June 15, 2005, Strange pled guilty to the domestic assault charge and was sentenced to one year in jail. The jail sentence portion was suspended, and Strange was placed on two years' probation and ordered to complete an anger management class.

According to Melissa Turner, an employee with the Missouri Department of Corrections Human Resources' Office, if Strange "received a suspended imposition of his sentence, the Department does not consider that to be a conviction."

The one-year jail sentence was the only portion of the sentence that was suspended, and Strange was placed on probation with the special condition that he complete the anger management class. Even so, Turner still insists that the Department does not consider that a conviction for domestic violence, simply because the jail sentence was suspended.

Mark Willis, a spokesperson for the U.S. Bureau of Alcohol Tobacco and Firearms (ATF) in Washington, D.C., disputed Turner's claim: "A guilty plea under those circumstances is definitely a conviction" of the domestic violence charge. Willis also confirmed that because of his a conviction, Strange is prohibited from owning, using or possessing any type of firearm.

In a case almost identical to Strange's, the United States Eighth Circuit Court of Appeals refused to dismiss charges against a Missouri man in 2004 who faced federal charges that he possessed several firearms after he pled guilty to two misdemeanor charges of domestic violence. He was sentenced to one year in the county jail on each charge, the jail sentences were suspended and he was placed on two years' probation. The case is *United States v. Kirchoff*.

In its decision refusing to dismiss the criminal charges against Kirchoff of possessing a weapon after being convicted of a misdemeanor crime of domestic violence, the court said, "Congress was concerned with the exact situation faced here: Preventing a known (from the fact of the misdemeanor conviction) domestic abuser from later using a firearm to inflict the next bout of abuse."

When told that the ATF considers Strange's sentence a conviction, Turner still insisted that it wasn't.

Guard allowed to violate federal law and maintain his employment despite his conviction

Turner did say that a person cannot be employed as a Corrections Officer by the Department if he or she has been convicted of a misdemeanor crime of domestic violence.

This policy is confirmed by a document on the Department's website, "Necessary Requirements" of a Corrections Officer. The document lists the "Ability to complete and maintain firearms certification training administered by the Missouri Department of Corrections" as a requirement for being employed as a Corrections Officer with the Department. That firearms certification for most officers is renewed on an annual basis when they complete their yearly "core training," according to Department requirements. Additionally, a Department document also states that one of the "Essential Functions of a Corrections Officer" is the ability, if necessary, to intervene in a situation "with a firearm."

Guards with convictions for violent crimes are still employed as Supervisors

According to two Affidavits of Probable Cause filed on May 25, 2010, by Joey E. Runyon, a criminal investigator for the Department, Strange and Lt. Jason Woodhurst assaulted a fellow guard while working at the Vandalia Prison.

In his affidavits, Runyon alleged that both Strange and Woodhurst struck a guard in his groin area and that Strange grabbed the guard's "buttocks and thigh." Both Strange and Woodhurst were and still are Supervisors.

According to court documents, Woodhurst was charged with assault in the third degree and on Feb. 9, 2011, pled guilty and paid a fine of \$300 plus court costs.

For his role in the assault on the guard with Woodhurst, Strange was charged with disturbing the peace and, on June 1, 2011, pled guilty and was fined \$100 plus court costs.

Repeated calls for comments to the Missouri Department of Corrections and further calls to the Missouri Attorney General's Office have not been returned.

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